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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Crafton *et al.*

Appl. No. 09/987,763

Filed: November 15, 2001

For: **Nucleotide Sequences for  
Transcriptional Regulation in  
*Corynebacterium glutamicum***

Confirmation No. 7167

Art Unit: 1645

Examiner: *To be assigned*

Atty. Docket: 1533.1940002/MAC/MBT

**First Supplemental  
Information Disclosure Statement**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed on March 7, 2002 in connection with the above-captioned application. Copies of the document are also provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates



should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

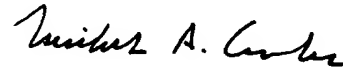
Filing under 37 C.F.R. § 1.97((b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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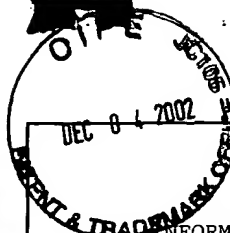
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FORM PTO-1449

FIRST SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.  
1533.1940002/MAC/MBTAPPLICATION NO.  
09/987,763APPLICANT  
Crafton et al.FILING DATE  
November 15, 2001GROUP  
1645

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA1						
	AB1						
	AC1						
	AD1						
	AE1						
	AF1						
	AG1						
	AH1						
	AI1						
	AJ1						
	AK1						

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION
	AL1	EP 1 108 790 A2	06/20/01	Europe			Yes No
	AM1	WO 01/00844 A2	01/04/01	PCT			Yes No
	AN1	WO 96/15246	05/23/96	PCT			Yes No
	AO1	WO 88/09819	12/15/88	PCT			Yes No
	AP1						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	2	International Search Report, September 16, 2002 for the corresponding international application PCT/US01/43096
AS	2	Vašicová et al., "Integrative and autonomously replicating vectors for analysis of promoters in <i>Corynebacterium glutamicum</i> ", <i>Biol. Tech.</i> , 12:743-746, Chapman & Hall, Ltd. (1998)
AT	2	

EXAMINER

DATE CONSIDERED

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.